

that purpose. Upon the filing of the petition the court shall have jurisdiction to affirm or set aside the action of the Commissioner in whole or in part."

Page 20, line 4, strike the figure "(1)" and insert the letter "(1)."

Page 22, line 12, strike "a" immediately before "part."

Page 26, line 23, insert a period immediately after "Code."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF ESLER FIELD TO RAPIDES, LA.

The Clerk called the bill (H. R. 2816) to provide for the conveyance of Esler Field, La., to the parish of Rapides in the State of Louisiana, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to sections 2 and 3, the Secretary of the Army shall convey, without monetary consideration, to the parish of Rapides in the State of Louisiana, all the right, title, and interest of the United States in and to the real property comprising Esler Field, La., described as a tract of land situated in the parish of Rapides, State of Louisiana, and being part of sections 21, 22, and 24 and part of fractional sections 23 and 38, township 5 north, range 2 east of the Louisiana meridian, and being more particularly described as follows:

Beginning at the southwest corner of said fractional section 23; thence north along the west line of said fractional section 23 and the west line of said section 22 to the west quarter corner thereof; thence east along the east and west quarter line of said section 22 and the east and west quarter line of said section 21 to the east quarter corner of said section 21; thence south along the east line of said section 21 and the east line of said section 24 to the southeast corner thereof; thence west along the south line of said section 24 and the south line of said fractional section 23 to its intersection with the east line of said fractional section 38; thence in the southeasterly direction along the east line of said fractional section 38 to a point on the north bank of the Bayou Flagon; thence in a general westerly direction along the said north bank of Bayou Flagon to its intersection with the west line of said fractional section 38; thence in a northwesterly direction along said west line of fractional section 38 to a point on the aforesaid south line of fractional section 23; thence west along the south line of said fractional section 23 to the point of beginning, containing 1,991.43 acres, more or less, together with all improvements thereon and appurtenances thereunto belonging.

Sec. 2. The conveyance authorized by this act shall—

(1) reserve to the United States all mineral rights, including gas and oil, in the property authorized to be conveyed by this act; and

(2) contain such other reservations, restrictions, terms, and conditions as the Secretary of the Army determines to be necessary to properly protect the interests of the United States.

Sec. 3. The conveyance authorized by this act shall be upon conditions that—

(1) such property shall be used as a public civil airport, and, if the parish of Rapides in the State of Louisiana, shall cease to use such property as a public airport for a period of

2 successive years, or more, then all the right, title, and interest in and to such real property shall revert to and become the property of the United States which shall have the immediate right of reentry thereon; and

(2) whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon the determination by the Secretary of Defense that the property conveyed under this act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the parish of Rapides, for the duration of such state of war or of such emergency. Upon the termination of such state of war or of such emergency, plus 6 months, such property shall revert to the parish of Rapides.

Sec. 4. The first action of the act entitled "An act to provide for the conveyance of Camp Livingston, Camp Beauregard, and Esler Field, La., to the State of Louisiana, and for other purposes," approved May 14, 1956 (70 Stat. 156; Public Law No. 521, 84th Cong.) is amended by striking out "Camp Livingston, Camp Beauregard, and Esler Field, La." and inserting in lieu thereof "Camp Livingston and Camp Beauregard, La."

With the following committee amendments:

Delete the period at the end of line 7, page 3, insert a comma and delete lines 11 through 16, and at the end of line 7 insert the following language: "including (a) the nonexclusive use of the airport by transient military aircraft without charge; (b) the nonexclusive use of the airport by military aircraft without charge during periods of maneuvers in Louisiana; (c) the continued nonexclusive use of the airport, without charge, by the Louisiana National Guard; and (d) the continued use of space at the airport, without charge, by the Louisiana National Guard."

"(3) provide for a reverter to the United States at the election of the Secretary of the Army, for the breach of any of the terms and conditions by the parish of Rapides, its successors and assigns."

On page 3, line 10, delete the word "public" and insert in lieu thereof the word "civil."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 1552, TITLE 10, UNITED STATES CODE, AND SECTION 301 OF THE SERVICEMEN'S READJUSTMENT ACT OF 1944

The Clerk called the bill (H. R. 8772) to amend section 1552, title 10, United States Code and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes.

Mr. CUNNINGHAM of Iowa. Mr. Speaker, I am advised by the leadership

that this bill is scheduled for consideration under suspension. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

DISPOSAL OF CERTAIN UNCOMPLETED NAVAL VESSELS

The Clerk called the bill (H. R. 8547) to authorize the disposal of certain uncompleted vessels.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

CLARIFYING REEMPLOYMENT PROVISIONS OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT

The Clerk called the bill (H. R. 8522) to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 of the Universal Military Training and Service Act, as amended (50 U. S. C. App. 459), is amended as follows:

(1) By adding the following words at the end of paragraph (A) of subsection (b): "unless his restoration under subparagraph (i) or (ii) of this paragraph would require the separation of an employee with a higher standing for reduction in force purposes."

(2) By adding the following new paragraph at the end of subsection (e):

"(4) Any person who is restored to a position in accordance with the provisions of paragraph (A) of subsection (b) may be included in a reduction in force at any time in accordance with rules applicable to all other employees."

(3) By inserting in paragraph (2) of subsection (g) the words "and other than for training" after the words "physical fitness" in the parenthetical phrase thereof.

(4) By amending paragraph (3) of subsection (g) to read as follows:

"(3) Any member of a reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than 3 consecutive months shall, upon application for reemployment within 60 days after (A) his release from that active duty for training after satisfactory service, or (B) his discharge from hospitalization incident to that active duty for training, or 1 year after his scheduled release from that training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this section for persons inducted under the provisions of this title, except that (A) any person restored to a position in accordance with the provisions of this paragraph shall not be discharged from such position without cause within 6 months after that restoration, and (B) no reemployment rights granted by this paragraph shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under the Veterans' Preference Act of 1944, as amended (5 U. S. C. 851 and the following)."

(5) By adding the following new paragraphs at the end of subsection (g):

"(4) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall be permitted by his employer to report for the purpose of being inducted into, entering, determining his physical fitness to enter, or performing active duty for training or inactive-duty training in the Armed Forces of the United States. Upon his release from a period of such active duty for training or inactive-duty training, or upon his rejection, or upon his discharge from hospitalization incident to that training or rejection, such employee shall be reinstated in his position with such seniority, status, pay, and vacation as he would have had if he had not been absent for such purposes, if he applies for reinstatement at the beginning of his next regularly scheduled working period after expiration of the time necessary to travel from the place of rejection or training to the place of employment following his rejection or release, or within a reasonable time thereafter. If that employee is hospitalized incident to active duty for training inactive-duty training, or rejection, he shall be required to apply for reinstatement within a reasonable time after the expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within 1 year after his rejection or release from active duty for training or inactive-duty training, whichever is earlier. If an employee covered by this paragraph is not qualified to perform the duties of his position by reason of disability sustained during active duty for training or inactive-duty training, but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, he shall be restored by that employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay or the nearest approximation thereof consistent with the circumstances in his case.

"(5) For the purposes of paragraphs (3) and (4), full-time training or other full-timed duty performed by a member of the National Guard under sections 316, 503, 504, or 505 of title 32, United States Code, is considered active duty for training; and for the purpose of paragraph (4), inactive-duty training performed by that member under section 502 of title 32, or section 301 of title 37, United States Code, is considered inactive-duty training."

(6) By redesignating subsections (i) and (j) as "(j)" and "(k)", respectively, and by inserting a new subsection "(i)", as follows:

"(i) No rights or remedies which would otherwise be available under this section shall be denied solely because a person has left or leaves a position in employment on probation."

Sec. 2. Section 262 (f) of the Armed Forces Reserve Act of 1952, as amended (50 U. S. C. 1013 (f)), is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURRENDER TREE SITE, SANTIAGO, CUBA

The Clerk called the bill (S. 1063) vesting in the American Battle Monuments Commission the care and maintenance of the Surrender Tree site in Santiago, Cuba.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the American Battle Monuments Commission is responsible for the care and maintenance of the Surrender Tree site in Santiago, Cuba. This

act takes effect on the next July 1 after the date of its enactment.

Mr. O'HARA of Illinois. Mr. Speaker, all this bill does is to transfer responsibility for the care and maintenance of the Surrender Tree site near Santiago, Cuba, from the Department of the Army to the American Battle Monuments Commission. The American Battle Monuments Commission is willing to accept responsibility for the maintenance of this memorial provided specific legislative authority be given. It is estimated that the enactment of this bill would result in an annual reduction of \$1,000 of the Department of the Army's civil functions appropriation.

In 1905 and in 1907 Congress appropriated funds to erect memorials marking the places where American soldiers fell and were temporarily interred in Cuba and in China. One of the memorials stands near Santiago, Cuba, at a place known as the Surrender Tree site, and this memorial marks the spot where the preliminary surrender of the Spanish Army occurred on July 17, 1898. The 33d Michigan Volunteer Infantry was the second volunteer outfit to land in Cuba, following Roosevelt's Rough Riders by a matter of 2 or 3 days. It landed from small boats on the beach at Siboney, was engaged in scrimmaging during the last days of June 1898 and on July 1 and July 2 was heavily engaged at Aguadadoras, on Shafter's extreme left, in the major frontal attack upon Santiago, which resulted in the city's surrender.

Yet when I returned in December of 1955 to the site of the fighting in which I as a boy of 16 had participated I found little record of the 33d Michigan Volunteer Infantry, and was shocked to find inscribed on a memorial tablet at Siboney a minor mention of the 33d Michigan Volunteers as having landed in Cuba on July 1, 1898. I was told that that memorial tablet had been standing at Siboney for many years. No one responsible for it had apparently taken the time and trouble to get the real facts and the real landing date of the first volunteer regiment next to the Rough Riders that landed in Cuba and was actively engaged during the entire period of combat.

Early in the morning of July 1, 1898, some of my buddies in the 33d Michigan, and they like myself were just boys from high school, were killed in action at the siege of Santiago, and I do not like a little bit the inscription on this memorial tablet at Siboney that they with others of the regiment at the time they were dying were just landing on Cuban soil.

Nor do I think it is a proper recognition of the 33d Michigan that among all of the monuments and memorials on San Juan Hill is none erected in memory of the first volunteer regiment next to the Rough Riders to land in Cuba. There are monuments there to other fine regiments, regiments that suffered heavy casualties because of disease, but which did not land in Cuba until after the hardest fighting was over and Santiago was about ready to surrender. But there is no monument for the 33d Michigan, and to me that is not just fair to the members of that regiment, most of

whom now have passed on. The record of history at least should be accurate, and war memorials should be authentic.

The American Battle Monuments Commission has the statutory duty of erecting and maintaining memorials where the American Armed Forces have served, and it is the hope of this surviving veteran of the 33d Michigan that when the Commission takes over the care of the Surrender Tree site it will undertake a survey of the entire memorial situation in the Santiago area.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING PENALTIES FOR VIOLATION OF CERTAIN STATUTES ADMINISTERED BY THE ICC

The Clerk called the bill (S. 1492) increasing penalties for violation of certain safety and other statutes administered by the Interstate Commerce Commission.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I wonder if I may have the attention of the chairman of the Committee on Interstate and Foreign Commerce. This bill and the bills on Calendar No. 173 and Calendar No. 174 all deal with subjects that relate to the Interstate Commerce Commission Act. I notice also in the report that there was registered before the committee some opposition to the bills by different interests that come under the control of the Interstate Commerce Commission. I am wondering whether the chairman of the committee feels that these bills should be considered on the Consent Calendar.

Mr. HARRIS. I fully realize the questions that will arise in the minds of Members when any amendment to the Interstate Commerce Act is considered. However, as to the bill now under consideration, after hearings and consideration we found that there was no opposition to it. It merely refers to a matter of increasing penalties with reference to safety compliance in the operation of common-carrier transportation.

Mr. BYRNES of Wisconsin. In the report there is a statement that the Association of American Railroads, the American Short Line Railroad Association, and the American Trucking Association, are opposed to the bill. That is the information I have.

Mr. HARRIS. The bill as introduced would have increased the penalty from the present \$100 provision to a maximum of \$500. During the course of the consideration of the bill that was compromised to \$250, which I understood eliminated much of the objections to it.

Mr. BYRNES of Wisconsin. It was unanimously reported by the committee?

Mr. HARRIS. It was unanimously reported by the committee on that basis.

Mr. BYRNES of Wisconsin. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?